

99-24-21

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# FROST BROWN TODD LLC

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August 31, 2001

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26874

PATENT TRADEMARK OFFICE

## EXPRESS MAIL

Box Patent Application

THE ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

## TRANSMITTAL OF CONTINUATION-IN-PART PATENT APPLICATION, BASED UPON PRIOR FILED APPLICATION 09/421,808

Dear Sir:

Transmitted herewith for filing, pursuant to 35 U.S.C. § 119(e)(1) and 37 C.F.R. § 1.78(a)(3) and § 1.78(a)(4) is the *non-provisional* patent application, based upon an earlier-filed application, of:

Inventor(s):	Patrick Brian Osterday, Valiyolah Tadayon, James Edward Wilson, Charles Martin Zwick
Title:	<b>ACTIVE FILE SYSTEM</b>
Drawings:	8 Sheets
Papers Enclosed:	Specification, 5 Claims and Abstract (Total of 30 Pages); Drawings - 8 Sheets; Cover Sheet; Request and Certification Under 35 U.S.C. 322(b)(2)(B)(i); Certificate of Express Mail; return postcard
Check Enclosed to Cover Total Fee:	\$435.00

JC821 U.S. PTO  
09/944663  
08/31/01

JC893 U.S. PTO  
08/31/01

09/421,808

SMALL ENTITY

CLAIMS AS FILED						
	No. Filed			No. Extra	Rate	
Basic Fee						355.00
Total Claims		-	20		x 9.00	
Independent Claims	5	-	3	2	x 40.00	80.00
Multiple Claims					135.00	0.00
					<b>Total Filing Fee</b>	435.00
					<b>Assignment Recordation</b>	
					<b>TOTAL</b>	<b>\$435.00</b>
					<b>SMALL ENTITY</b>	

**Earlier-filed APPLICATION:** Please amend the specification by inserting before the first line the sentence: "This is a non-provisional application based upon an earlier filed application, Serial No. 09/421,808 filed October 20, 1999, and which claims priority from the earlier filed provisional application Serial No. 60/156,676, filed September 29, 1999."

The Assistant Commissioner for Patents is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Frost Brown Todd LLC, Account No. 06-2226:

Any Additional filing fees required by 37 CFR 1.16 and/or 37 CFR 1.492;

Any deficiency in the patent application processing fees as required by 37 CFR 1.17; or


Any deficiency in the issue fee as set forth in 37 CFR 1.18.

The above authorization does not include permission to charge payment of the entire issue fee to our account upon request of a notice of allowance, but only any deficiency in the issue fee paid by our check subsequent to receipt of a notice of allowance.

A duplicate copy of this transmittal letter is enclosed for any of these additional charges or credit.

Respectfully submitted

FROST BROWN TODD LLC

By:   
Ria Farrell Schlnat

Registration No. 47,058

"Express Mail" Mailing Label Number:  
EL583886655

Date of Deposit: 8/31/01

I hereby certify that this paper or fee is being deposited in the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and is addressed to The Commissioner of Patents and Trademarks, Washington, D.C. 20031.

Tammi Carskadon  
Typed or Printed Name of Person Signing

  
Signature

Encls: Filing Fee-1 copy  
Deposit Account-1 copy

TOTAL \$435.00

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Cover Total Fee:

\$435.00

09421808-0001

## SMALL ENTITY

CLAIMS AS FILED							
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Respectfully submitted

FROST BROWN TODD LLC

By:

Ria Farrell Schalnatz

Registration No. 47,058

"Express Mail" Mailing Label Number:

EL583886655

Date of Deposit: 8/31/01

I hereby certify that this paper or fee is being deposited in the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and is addressed to The Commissioner of Patents and Trademarks, Washington, D.C. 20031.

Tammi Carskadon

Typed or Printed Name of Person Signing

Signature

Encls: Filing Fee-1 copy

Deposit Account-1 copy

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor		Patrick B. Osterday
	Title	ACTIVE FILE SYSTEM	
	Atty Docket Number		85252/484318

Customer Account No. 26874

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

**August 31, 2001**

Date



Signature

Ria Farrell Schalnatz

Typed or printed name

Attorney for Applicant(s)

Registration No. 47,058

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.